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File A-67032-1 Atty KFT/KMW KMK

Due Date _____

Paper No. 19

Type _____ Refs _____

ROBIN M SILVA
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
SUITE 3400
FOUR EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4187

10/016416 PRO
12/10/01

COPY MAILED**NOV 15 2001****OFFICE OF PETITIONS**

In re Application of :
Bamdad et al. :
Application No. 09/428,155 : DECISION ACCORDING STATUS
Filed: 27 October, 1999 : UNDER 37 CFR 1.47(a)
Attorney Docket No. A-67032-1/RF :

This is in response to the renewed petition under 37 CFR 1.47(a) filed on 6 November, 2001.

The petition is GRANTED.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the declaration of facts of Robin M. Silva establishes that the inventor was mailed a copy of the application papers (via her attorney) but has failed to execute the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

¹A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);
- (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116;
- (3) the petition fee; and
- (4) a statement of the last known address of the non-signing inventor.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to the Publishing Division to await receipt of the issue fee and corrected formal drawings.

Telephone inquiries related to this decision should be directed to the undersigned at 703-308-6918.

D Wood
Douglas I. Wood
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



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Cynthia C. Bamdad
6 Tamarack Way
Sharon, MA 02067

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10/016416 U.S.P.T.O.
10/12/01 12/10/01

In re Application of
Bamdad et al.
Application No. 09/428,155
Filed: 27 October, 1999
For: DETECTION OF TARGET ANALYTES USING PARTICLES AND ELECTRODES

Dear Dr. Bamdad:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Douglas I. Wood at 703/308-6918. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

for D. Wood
Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

ROBIN M SILVA
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
SUITE 3400
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